

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

JAMES C. MANN (CABN 221603)
Assistant United States Attorney

1301 Clay Street, Suite 340-S
Oakland, California 94612
Telephone: (510) 637-3705
Facsimile: (510) 637-3724
E-Mail: James.C.Mann@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-00641 SBA
Plaintiff,)	
v.)	PETITION FOR AND WRIT OF HABEAS
)	CORPUS AD PROSEQUENDUM
GARY ANTHONY MUSCADINE,)	
Defendant.)	
)	
)	
)	
)	

TO: The Honorable Bernard Zimmerman, United States Magistrate Judge of the
United States District Court for the Northern District of California:

Assistant United States Attorney James C. Mann respectfully requests that this Court
issue a Writ of Habeas Corpus Ad Prosequendum for the person of prisoner, GARY ANTHONY
MUSCADINE (CDC No. V045863), whose place of custody and jailor are set forth in the

///

///

///

1 requested Writ, attached hereto. The prisoner is required as the defendant in the above-entitled
2 matter in this Court, and therefore petitioner prays that this Court issue the Writ as presented.
3

4 Dated: August 18, 2009

Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7
8 
9 JAMES C. MANN
Assistant United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-00641 SBA
Plaintiff,)	
v.)	PROPOSED ORDER GRANTING
GARY ANTHONY MUSCADINE,)	PETITION FOR AND WRIT OF HABEAS
Defendant.)	CORPUS AD PROSEQUENDUM
)	
)	
)	
)	
)	

Upon motion of the United States of America, and good cause appearing therefore,
IT IS HEREBY ORDERED that the United States' request for issuance of a Writ of
Habeas Corpus Ad Prosequendum requiring the production of defendant GARY ANTHONY
MUSCADINE (CDC No. V045863) before the Hon. Sandra Brown Armstrong, United States
District Court Judge, at 9:00 a.m. on Tuesday, September 8, 2009 or as soon thereafter as may be
practicable, is granted, and the Writ shall be issued as presented.

DATED: August 19, 2009


HON. BERNARD ZIMMERMAN
United States Magistrate Judge

1 THE PRESIDENT OF THE UNITED STATES OF AMERICA

2 TO: FEDERICO ROCHA, United States Marshal, Northern District of California, and/or any of
3 his authorized deputies, and the Warden for San Quentin State Prison, and/or any California
 Department of Corrections facility:

4 GREETINGS

5 WE COMMAND that on Tuesday, September 8, 2009 at 9:00 a.m., or as soon thereafter as
6 practicable, you have and produce the body of GARY ANTHONY MUSCADINE (CDC No.
7 V045863), in your custody in the above-mentioned institution, or any other California
8 Department of Corrections Institution, before the United States District Court in and for the
9 Northern District of California, in the Courtroom of the Hon. Sandra Brown Armstrong, United
10 States District Court Judge, 1301 Clay Street, Oakland, California 94612 on the third floor, in
11 order that GARY ANTHONY MUSCADINE may then appear for a status appearance upon the
12 charges heretofore filed against him in the above-entitled Court, and that immediately after said
13 hearing to return him forthwith to said above-mentioned institution or abide by such order of the
14 above-entitled Court as shall thereafter be made concerning the custody of said prisoner, and
15 further to produce said prisoner at all times necessary until the termination of the proceedings in
16 this Court;

17 IT IS FURTHER ORDERED that should the local or state custodian release from its custody
18 the above-named person, he be immediately delivered and remanded to the United States
19 Marshal and/or his authorized deputies under this Writ.

20 WITNESS the Hon. Bernard Zimmerman, United States Magistrate Judge, United States
21 District Court for the Northern District of California.

22 DATED: August 19, 2009

23 CLERK, UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA

25 By:

26 

27 DEPUTY CLERK, ROSE MAHER
28